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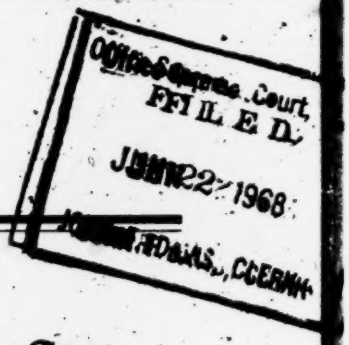

No. 1330

In the Supreme Court of the United States

OCTOBER TERM, 1967

SHERMAN H. SKOLNICK and PETER S. SARELAS,
Appellants,

vs.

WALTER H. MOSES, PAUL B. YOULE, CHARLES E. HERZOG, JOHN F. McBRIDE, MORRIS L. SIMONS, LESTER ASHER, and THE CHICAGO BAR ASSOCIATION,
Appellees.

On Appeal from the United States District Court for the Northern District of Illinois, Eastern Division.

PETITION FOR REHEARING OF ORDER AFFIRMING JUDGMENT

SHERMAN H. SKOLNICK,
9800 South Oglesby Avenue,
Chicago, Illinois 60617
Essex 5-5741
Appellant, Pro Se.

PETER S. SARELAS,
30 North LaSalle Street,
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Central 6-1442
Appellant, Pro Se.

In the Supreme Court of the United States

OCTOBER TERM, 1967

No. 1330

SHERMAN H. SKOLNICK and PETER S. SARELAS,
Appellants,

vs.

WALTER H. MOSES, PAUL B. YOULE, CHARLES E. HERZOG, JOHN F. McBRIDE, MORRIS L. SIMONS, LESTER ASHER, and THE CHICAGO BAR ASSOCIATION,
Appellees.

On Appeal from the United States District Court for the Northern District of Illinois, Eastern Division.

PETITION FOR REHEARING OF ORDER AFFIRMING JUDGMENT

The appellants, Sherman H. Skolnick and Peter S. Sarelas, move this Court to reconsider and vacate its Order of June 3rd, 1968, affirming the judgment, and to

hear the appeal, as prayed in the Jurisdictional Statement filed April 17, 1968, herein.

For reasons the appellants state:

1. The effect of this Court's Order is to leave the state Legislature and the lower courts without guidance. By submitting no Opinion with reasons for affirming the judgment, this Court deprives the appellants of the one statutory direct appeal to which they are entitled from a three-judge statutory District Court.

See: Dissenting Opinion in *Rockfeller* v. *Wells*, 88 S.Ct. 578, at 580, (1968).

2. By having no Opinion this Court, in this case, leaves the lower court, the state legislature, and litigants without any guidance—they all have to guess what this Court means in affirming without an Opinion.

3. It is respectfully suggested that it would appear improper for a Court of last resort to affirm a judgment on a statutory direct appeal, without citing a single authority and without stating a single reason whatsoever.

4. If this Court did not desire to grant these appellants their statutory right of direct appeal, then this Court could have dismissed the appeal, instead of purporting to summarily rule on the merits.

Appellants reassert their statutory right of direct appeal and do not waive their request for a written Opinion for the guidance of the Bench, the Bar and the public.

CONCLUSION

For the reasons set forth above and in the Jurisdictional Statement, filed April 17, 1968, herein, it is respectfully urged that this Court reconsider and vacate its Order of June 3rd, 1968, affirming the judgment, and to hear appellants' statutory direct appeal.

Respectfully submitted,

SHERMAN H. SKOLNICK,
9800 South Oglesby Avenue,
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Appellant, Pro Se.

PETER S. SARELAS,
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Appellant, Pro Se.

CERTIFICATE OF APPELLANTS, PRO SE.

We, each of us, hereby certify that the foregoing Petition for Rehearing is presented in good faith and not for delay, and is restricted to grounds specified in Rule 58 of the Rules of this Court.

.....

Sherman H. Skolnick, *Appellant, Pro Se.*

.....

Peter S. Sarelas, *Appellant, Pro Se.*